

State of Wisconsin
Office of State Employment Relations



**2005-2007 Biennial Report
of the Office of State Employment Relations**

Jim Doyle
Governor

Jennifer Donnelly
Director

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The Honorable Jim Doyle
Governor of Wisconsin

Members of the State Legislature
State Capitol

Dear Governor Doyle and Members of the State Legislature:

I am pleased to submit the 2005-2007 Biennial Report of the Office of State Employment Relations, as required by Wis. Stats. § 15.04(1)(d). This report documents the achievements of our office during the 2005-2007 biennium and outlines our goals for the 2007-2009 biennium.

On behalf of all state agencies, we are committed to sustaining progress in the following areas:

- Making sure that state government is preparing to meet future workforce needs by identifying occupational areas that are expected to have significant employee turnover within the next two years and developing recruitment, retention, and employee development strategies to meet anticipated needs for a skilled and diverse workforce.
- Working in concert with DOA to expand use of information technology to manage state human resources with greater efficiency, accountability, and accuracy.
- Promoting and facilitating productive labor-management relations across state government.

Your endorsement and support of our initiatives is essential to our success in meeting these goals and is greatly appreciated.

Respectfully submitted,

Jennifer Donnelly
Director

OSER's mission is to provide innovative human resources leadership and strategic direction to Wisconsin state government in order to maximize the quality and diversity of the state's workforce.

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OVERVIEW OF THE OFFICE OF STATE EMPLOYMENT RELATIONS

The Office of State Employment Relations (OSER) provides human resources leadership and strategic direction to Wisconsin state government in order to maximize the quality and diversity of the state's workforce. OSER establishes, implements, and monitors personnel policies and programs to ensure a competent work force and to promote equitable treatment of all current and prospective employees of the state. The agency assists the Governor and the Legislature by developing human resource initiatives that meet the needs of the state and provides guidance, advice and services to state agencies in managing human resources.

The Office of State Employment Relations was created by 2003 Act 33 (the state biennial budget for 2003-05) to replace the former Department of Employment Relations (DER), which was eliminated in Act 33. The Office of State Employment Relations operates independently and is attached to the Department of Administration pursuant to Wis. Stat. § 15.03. The new structure preserves the core functions previously performed by the Department of Employment Relations, while realizing significant cost savings for the State.

OSER's program areas include recruitment, examination and selection; classification and compensation; labor-management relations; affirmative action; employee performance evaluation; employee development and training; the State Employee Suggestion Program; the Employee Assistance Program; and various other functions related to personnel management and employee relations.

OSER is administered by a director who is appointed by and serves at the pleasure of the Governor. Jennifer Donnelly was appointed director of the Office of State Employment Relations in March 2007. Executive staff are appointed by and serve at the pleasure of the director.

The Office of State Employment Relations is comprised of three divisions and the Director's Office. It includes an attached State Council on Affirmative Action. The functions and structure, performance and operations, and goals and objectives of each program area follow.

DIVISION OF AFFIRMATIVE ACTION

A. FUNCTIONS AND STRUCTURE

The mission of the Division of Affirmative Action, as stated in Wis. Stat. §230.04(9), is to advise and assist the Director of the Office of State Employment Relations, the administrator of the Division of Merit Recruitment and Selection, agency heads and chancellors on establishing policies and programs to promote affirmative action (AA) and equal employment opportunity (EEO) in the civil service system.

Division responsibilities include developing AA/EEO policies and procedures; establishing standards for agency AA/EEO plans; reviewing, approving, and monitoring agency AA/EEO plans; analyzing state workforce data for use in developing AA/EEO reports and

recommendations; and recommending legislative and administrative rule changes. The division also provides information and technical assistance to agencies to increase the effectiveness of state AA/EEO programs, provides AA/EEO and diversity training to supervisors and managers; and provides staff support to the State Council on Affirmative Action.

In addition, the division administers the following AA/EEO programs:

- ◆ The Targeted Opportunity Program (TOPjobs), in which agencies hire students for summer internship positions in order to familiarize them with state employment.
- ◆ The Cooperative Education Program (CEP), which provides on-the-job training to students in higher education programs, and upon completion of training, places them in permanent positions.
- ◆ The Alternative Work Patterns program (AWP), which provides information to agencies and employees on developing and administering an effective AWP policy.
- ◆ The Information Technology Employment for Minority Students program (ITEMS), which provides on-the-job training to students pursuing careers in information technology.
- ◆ The Just En' Time (JET) Training program, an agency outreach program of one-hour training courses on a variety of AA/EEO and diversity topics.
- ◆ The Wisconsin Career Access Network (WI-CAN) database is designed to provide state agencies and university campuses with qualified target group applicant referrals for vacant positions while simultaneously serving as a career search resource for minorities, women and persons with disabilities.

B. PERFORMANCE AND OPERATIONS DURING THE 2005-2007 BIENNIUM

The division prepares and distributes a comprehensive “Affirmative Action Report for Wisconsin State Government” each year of the biennium. The report contains extensive statistical data to evaluate AA/EEO progress. It includes information about employees with severe disabilities and statistics for employment of racial and ethnic minorities and women by state agencies. Other annual statutory reports completed in the biennium included the Veterans Employment Report for State Government; the Written Hiring Reasons Report; the Federal EEO-4 Report and a review of the W-2 Hiring Report.

The division implemented the following initiatives and programs to increase the efficiency and effectiveness of the state AA/EEO program during the 2005-07 biennium:

1. Hosted a “Constitutional Convention” that brought together stakeholders involved in Affirmative Action and Equal Employment Opportunity to develop a comprehensive process for implementation of AA plan standards.
2. Completed the underutilization analysis that allows state agencies and universities to develop goals for their affirmative action plans. The analysis includes updating the CIC goals to 2007 standards in order to reallocate/allocate all new and reviewed classifications to more appropriate job groups.
3. Completed the review and approval of state agencies’ and universities’ certification submissions.

4. Reviewed and monitored layoff plans at state agencies and university campuses to ensure that women and racial/ethnic minorities were not adversely affected by layoffs.
5. Partnered with the Division of Merit Recruitment and Selection (DMRS) to develop a comprehensive statewide recruitment effort which included college outreach activities and attendance at major recruitment programs throughout the state for minority and related organizations.
6. Required all state agencies and universities to attain AA/EEO program certification. The certification criteria included:
 - Adherence to the statutory requirement that the AA Officer (AAO) report directly to the appointing authority
 - Hiring review process
 - AA Advisory Committee
 - Policies on sexual harassment
 - Disability accommodations
 - Internal discrimination complaints procedures
 - Balanced interview panels
 - Posting of the AA/EEO policy statement.

All state agencies and universities were required to be certified before their AA/EEO plans were approved.

7. Held elections to the Executive Committee for the Wisconsin State Agency Affirmative Action Officers (AAOEC) which represents the interests of all state agency AAOs. The AAOEC provides advice and guidance to DAA with respect to matters involving affirmative action, equal employment opportunity and workforce diversity programs and services.
8. Expanded the Affirmative Action Recruitment Resource Directory (AARRD) to assist state agencies and university campuses in recruitment. The directory lists over one thousand community based organizations, campus groups, human resources contacts and others who interact with target populations in Wisconsin and surrounding areas. This list is updated monthly and is available to agencies and campuses through a free subscription service.
9. Partnered with the Wisconsin Association of Equal Opportunity (WAEO) in the annual planning and development of training topics and agenda items for the WAEO Conference. The WAEO Conference is the annual conference for professionals in the civil rights field across Wisconsin.
10. Provided "Just En Time" (JET) training courses to address the immediate needs of state agencies and universities as AA/EEO and diversity employers. "Essentials of an Effective AA Advisory Committee" and "Reasonable Accommodations in Employment" are among the training courses offered.
11. Published an electronic newsletter, "Live Wire," three times a month to keep AA practitioners abreast of the latest ideas and activities in DAA. The newsletter covers the division's activities, and informs and educates the recipients with brief and timely articles.
12. Provided training and technical assistance to increase the effectiveness of state agency AA/EEO professionals and management.

13. Partnered with the Division of Merit Recruitment and Selection and the Department of Workforce Development to provide veterans with greater access to state government positions through DAA outreach programs such as WI-CAN and TOP-Jobs as well as through attendance at veterans recruitment programs.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

1. Expand and enhance an enterprise recruitment plan in collaboration with the Division of Merit Recruitment and Selection to support the recruitment efforts of state agencies and universities.
2. Complete the certification process and ensure that all agencies and university campuses have formalized their standing through the final submission, review and approval of materials.
3. Finalize the AA planning standards for both agencies and universities and implement standards. Intake draft plans for all relevant state organizations, review draft materials, provide technical assistance and see all entries to completion.
4. Begin tracking agencies' and universities' affirmative action checklists and accompanying documentation and provide technical assistance when needed.
5. Strengthen the DAA training program for AA/EEO professionals and managers at state agencies and the university.
6. Continue to coordinate and improve WI-CAN and TOPjobs.
7. Evaluate the Disabled Expanded Certification (DEC) process to ensure the program is current and consistent with the federal Americans with Disabilities Act (ADA) and state laws.
8. Enhance staff support to the State Council on Affirmative Action (SCAA) in order to increase effectiveness.
9. Enhance website information on affirmative action/equal employment opportunity to provide more useful resources for agencies and universities.

STATE COUNCIL ON AFFIRMATIVE ACTION

A. FUNCTIONS AND STRUCTURE

The State Council on Affirmative Action is a 15-member citizen body appointed by the Governor and legislative leaders to evaluate the state's progress in achieving statutory affirmative action objectives. It was created under Chapter 196, Laws of 1977. The State Council operates in an advisory capacity to the Director of the Office of State Employment Relations.

Wisconsin Statute §230.46 gives the State Council responsibility for evaluating affirmative action programs in the state civil service system, seeking compliance with relevant state and federal regulations, and recommending improvements in the state's affirmative action efforts as an employer.

B. PERFORMANCE AND OPERATIONS DURING THE 2005-2007 BIENNIUM

1. Continued the annual Diversity Award program which recognizes exemplary commitment and measurable achievement in diversity. The Educational Diversity Award, which recognizes the efforts and achievements of UW campuses in supporting diversity, was renamed the Ann Lydecker Educational Diversity Award, in honor of the late UW-River Falls Chancellor Ann Lydecker.
2. Amended the State Council's bylaws to reflect the needs of the State Council to conduct meetings and business with more flexibility and control and to improve the lucidity of the bylaws.
3. Discussed the filling of positions and role of affirmative action officers at university campuses.
4. Conducted strategic planning.
5. Reviewed and discussed the change in federal race codes to allow for multi-racial designation.
6. Received briefings on new DAA initiatives, including program certification requirements; new Affirmative Action Recruitment Resource Directory; creation of the WI-CAN program; DAA newsletter "Live Wire"; ensuring that all agencies and university campuses are certified and ensuring that all AA/EEO plans for planning period 2005 to 2007 are complete and in place.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

1. Serve as a resource for the recommendation of candidates for membership on the State Council to ensure the continuation and refreshment of State Council activities.
2. Develop recommendations to improve the state's ability to recruit and retain a high quality, diverse workforce.
3. Promote interaction and partnership with the state affirmative action professionals, as well as racial/ethnic and women community organizations.
4. Identify and recommend ways to integrate affirmative action into other human resources functions.
5. Build a collaborative relationship with AA officers in state agencies and universities.

DIVISION OF COMPENSATION AND LABOR RELATIONS

A. FUNCTIONS AND STRUCTURE

The goal of the Division of Compensation and Labor Relations (DCLR) is to research and develop fiscally responsible compensation strategies and programs, to oversee and administer compensation programs on a statewide basis for all classified and certain unclassified positions in the state civil service system, to represent the state as the employer in labor contract negotiations with unions representing state employees, and to establish and maintain

consistent employment relations policies and practices throughout state civil service in the administration of labor agreements.

DCLR administers the compensation provisions of the federal Fair Labor Standards Act (FLSA), the Wisconsin Fair Employment Law, and the state and federal Family and Medical Leave Acts (FMLA) and the state and federal military leave laws for state employees. The division includes two bureaus: the Bureau of Compensation and the Bureau of Labor Relations.

The **Bureau of Compensation** develops and administers the biennial compensation and benefit plans for non-represented, classified and unclassified executive branch employees. The bureau is responsible for the evaluation and development of fiscally responsible compensation programs in connection with the collective bargaining process. This bureau has the ongoing responsibility for conducting a comprehensive pay and benefits survey program to maintain a competitive position in the market place and assisting in the assignment of all new and revised classifications to the proper pay ranges. The bureau also provides information and data analyses regarding the State of Wisconsin classified and unclassified work force, administers the state and federal Family Medical Leave Act for state employees, the state and federal military leave laws, and provides consultative services to state agencies on FMLA requirements, developing policies and procedures to ensure statewide compliance.

The **Bureau of Labor Relations (BLR)** represents the state as the employer in labor contract negotiations with unions representing state employees, and is responsible for establishing and maintaining consistent employment relations policies and practices throughout state civil service in the administration of labor agreements. More than 85 percent of the state classified work force, organized into statutorily defined bargaining units, is represented by labor organizations. Every biennium, BLR chief negotiators work closely with staff from the OSER Bureaus of Compensation and Agency Services to negotiate the 19 state labor agreements. During negotiations, DCLR staff consults regularly with the Governor's Office, legislative leaders on the Joint Committee on Employment Relations, and with management representatives in the various state agencies, boards and commissions. In administering the state labor agreements, it is BLR policy to maintain fair, friendly and mutually satisfactory employee-management relations in state government and to strive to achieve a fair and peaceful resolution to whatever controversies may arise. The major functions of the Bureau of Labor Relations are to:

1. Negotiate, as the employer, all state labor agreements;
2. Provide guidance to and work with all state agencies to ensure uniform implementation and administration of labor agreements;
3. Represent and/or assist in representing the state before the Wisconsin Employment Relations Commission on such matters as unfair labor practices, bargaining unit determinations, bargaining unit representation elections, and other labor/management issues;
4. Represent the state and its agencies as the employer in arbitration proceedings under the state labor agreements;
5. Develop, plan and present labor relations training for all levels of state agency management; and

6. Develop, plan and facilitate labor-management cooperation training and services jointly with labor union officials for all levels of state agencies.

B. PERFORMANCE AND OPERATIONS DURING THE 2005-2007 BIENNIUM

1. Efforts to improve the efficiency and effectiveness of the division.

- a. Labor Market Information/Compensation Reserve Development. The division continued to enhance the application and effectiveness of the State of Wisconsin labor market program to the state and participating employers through a revision in the program schedule and information being surveyed. The labor market survey program provides valuable labor market data and information for the development of the compensation reserve recommendation that OSER submits to the Department of Administration, for the development of collective bargaining strategies, and for the development of the non-represented employee Compensation Plan.
- b. Policy Manual Revision. DCLR developed several new policies in the *Wisconsin Human Resources Handbook*; covered topics include hiring above the minimum and the state broad banding program. A comprehensive plan was developed to update or develop additional policy chapters for presentation to agency representatives during monthly informational meetings.
- c. Evaluation of Existing Pay Systems. Division staff monitors and evaluate Wisconsin's varied pay systems, conduct internal analyses of pay systems performance, and regularly receives and evaluate compensation system feedback from the Compensation Advisory Committee which is made up of agencies' Human Resources Directors.
- d. Training for Agency Personnel. The DCLR staff provided ongoing formal training to agency staff and first-line supervisors in the areas of basic and advanced labor relations skills.
- e. Labor-Management Cooperation. An ongoing project provided for joint labor-management training in labor-management cooperation for work site teams.
- f. Advanced Labor Relations Training. The program was condensed from five to three days with a corresponding drop in registration fee. The shorter time commitment and reduced fee resulted in an overall higher number of registrants.
- g. Several changes in the ER chapters of the Administrative Code were made last July to better clarify enterprise human resource policy and procedures.

2. Major policy initiatives.

- a. Family and Medical Leave Acts (FMLA). During this biennium, ongoing technical assistance, consultation, and formal and informal training were provided to human resource staff and supervisors.

- b. **Military Leave Administration.** During this biennium, ongoing technical assistance, consultation, and information training were provided to human resource staff and supervisors.
- c. **Labor-Management Cooperation.** In 1998, DER and the Wisconsin State Employees Union (WSEU) jointly received a Labor-Management Cooperation (LMC) grant from the Federal Mediation and Conciliation Service. The original \$90,000 grant was used to identify and replicate “best practices” in labor-management cooperation at work sites across the state and this effort continued during the early part of the 2003-2005 biennium. A best practice is a successful example of cooperation between labor and management. The LMC training team, composed of representatives from both WSEU and management, conducted training on how to improve cooperation, and provided on-site assistance at work sites to improve cooperation.
- d. **Health Insurance.** In an effort to manage escalating health care costs, OSER in cooperation with the Group Insurance Board and the legislature implemented a three-tier Health Insurance program effective with January 2004 coverage. To mitigate the shortcomings of the previous employee health insurance funding mechanism, health insurance plans submitted by providers are evaluated on the overall basis of the efficiency with which they deliver uniformly prescribed benefits, as well as on measures of quality, patient safety, and customer satisfaction. Each plan is assigned to one of three tiers based on this analysis. The plan’s tier assignment determines the monthly premium amount to be contributed by employees enrolled in the plan. This approach has succeeded in creating significant incentives for health plan providers to hold down overall costs. Employee monthly premium contributions under the three-tier program now apply to all represented employees and all non-represented employees, including the UW System and its faculty and academic staff.

3. Organizational or Administrative Changes

BLR staff served as chief negotiators and back-up negotiators during the negotiation of labor contracts covering 19 represented bargaining units for the biennium. The Wisconsin State Employees Union, affiliated with the American Federation of State, County, and Municipal Employees, represents six of those units. The remaining thirteen bargaining units represented by other labor organizations are the Building Trades and Crafts; Legal (Attorneys); Assistant District Attorneys; State Public Defenders; Patient Care; Patient Treatment; Fiscal and Staff Services; Research, Statistics and Analysis; Education; Engineering; Science; Teaching Assistants at the University of Wisconsin (UW) -Madison; and Teaching Assistants at UW-Milwaukee.

The Bureau of Labor Relations (BLR) chief spokesperson works with a team of classification, compensation, and costing staff at OSER for each of the bargaining units. The BLR chief spokespersons are responsible for representing management in negotiating the economic component of assigned collective bargaining agreements. The BLR chief spokespersons work directly with the Bureau of Compensation economic spokespersons and the Agency Services class and survey spokespersons regarding the coordination of any classification, survey, or costing needs.

BLR staff represents the various state agencies, as employers, in arbitration proceedings under labor contract grievance procedures. Bureau of Labor Relations staff represented and/or assisted legal counsel in representing the state before the Wisconsin Employment Relations Commission.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

1. Continue research and development of alternative pay models with special emphasis on those that would be conducive to simplifying the compensation system and increasing line management flexibility.
2. Expand pay flexibility concepts to a greater number of represented and nonrepresented groups.
3. Continue to develop Compensation Plan amendments that will provide parity between non-represented and represented employees based on the terms of negotiated agreements.
4. Develop new policy chapters in the *Wisconsin Human Resources Handbook* as needed to accommodate changes in compensation structures as they are implemented.
5. Refine and enhance the modified pay structures that were implemented in 2005-2007 and increase efforts to educate employees and managers on the new structures through on-site training programs, train the trainer initiatives and electronic posting of educational and informational resources on the OSER web site.
6. Develop a total compensation assessment process to determine how the State's compensation and benefit programs compare to other public and private sector employers.
7. Conduct ongoing assessment of the effectiveness and understanding of the broadband program through a comprehensive survey program encompassing represented and nonrepresented employee groups. Develop program enhancements and conduct training initiatives to strengthen the understanding of program procedures and provisions.
8. Provide consultation to agencies to assist in implementing the personnel-related aspects of provisions in the 2007-09 biennial budget.
9. Negotiate sound labor agreements so as to ensure labor/management peace and stability.
10. Expand the use of consensus bargaining principles to other certified bargaining units. The consensus bargaining format is being or has been used with the Wisconsin State Employees Union, representing six bargaining units; the United Professionals for Quality Health Care, representing the Patient Care unit; and AFT-Wisconsin, representing the Science unit and the Research, Statistics and Analysis unit. The remaining units are using the traditional model for collective bargaining that is oriented to using other problem-solving approaches to contract negotiations.
11. Expand the Advanced Labor-Management Certification Program to a larger audience. This popular program, created in 1988 and annually updated, is an in-depth course providing state managers and supervisors with strategies and techniques in labor relations geared to promoting the interests of the state in a collective bargaining environment.
12. Reduce grievance appeals and resolve problem issues through effective management training and staff utilization, developing sound labor-management relations, promoting mutual problem-solving techniques prior to formal grievance appeals, and promoting special arbitration processes and settlement mechanisms.

13. Improve the division's research and arbitration handling capabilities by updating the file locator system, enhancing Internet access to precedent-setting labor arbitration decisions, and expanding the use of the arbitration case management database.
14. Continue to provide a labor relations seminar geared toward top executives in state government, adjusting the subject matter as necessary to meet the needs of the target audience.
15. Establish and conduct joint training efforts with unions representing state employees.

DIVISION OF MERIT RECRUITMENT AND SELECTION

A. FUNCTIONS AND STRUCTURE

The goal of the Division of Merit Recruitment and Selection (DMRS) is to be a model public sector organization that efficiently provides Wisconsin citizens with merit-based, open and accessible competition for civil service jobs; provides state and local government agencies with qualified job candidates who represent the diversity of the state labor force; and develops and maintains a fair and accurate classification system. The division is divided into two bureaus, Outreach Services and Agency Services. Outreach Services Bureau includes the examination administration unit, the employment services unit, recruitment and retention unit and Wisconsin Personnel Partners (formerly Wisconsin City County Services). The Agency Services Bureau includes two program areas, classification plan administration and staffing.

The division works cooperatively with state agencies and the University of Wisconsin System to:

1. Recruit applicants for classified civil service vacancies, develop and administer valid evaluations of civil service applicants, and provide lists of best-qualified candidates (employment certifications) to state agencies and University of Wisconsin (UW) campuses.
2. Administer the Wisconsin Code of Ethics, Wis. Admin Code ER-MRS 24, for classified and some unclassified employees, investigate cases of potential civil service violations, and administer layoffs for non-represented classified positions.
3. Provide consultation and training to state agencies in areas such as Fair Labor Standards Act (FLSA) requirements, staffing, classification, position descriptions, performance evaluation and training to citizens and state employees on how to get a state position and how to advance in the civil service.
4. Provide personnel and testing services for local governments through the Wisconsin Personnel Partners.
5. Function as the primary liaison for the state with the U.S. Department of Labor, Wage and Hour Division and to monitor the inclusion or exclusion of employees in the protective occupation retirement category.
6. Participate in the collective bargaining process as members of the management master bargaining teams.
7. Conduct personnel management surveys and position reviews in an effort to maintain statewide equity within the classification structure.
8. Provide enterprise support to agencies for workforce planning and workgroups to ensure a continuous candidate pipeline for our critical hiring needs and other agency specific workforce issues.

9. Provide enterprise recruitment support, coordination and marketing for agencies.

B. PERFORMANCE AND OPERATIONS DURING THE 2005-2007 BIENNIUM

DMRS is committed to helping OSER achieve its vision of being at the forefront of human resource management by stressing excellence, diversity, efficiency, responsiveness, continual improvement, and innovation. During the past biennium, the division continued to be a leader in providing responsive service to state agencies and the public through the following achievements:

1. Over 29,000 state job applicants were tested at state examination centers during the biennium.
2. Effective May, 2007, the State of Wisconsin's online application and examination system changed its look and domain for better and more consistent name recognition and ease of use. It is now at: <http://Wisc.Jobs> The Current Opportunities bulletin has been replaced by the new Wisc.Jobs bulletin to further align with the new brand.
3. The division continued to develop and expand use of Wisc.Jobs, the state's web-based hiring system. The system gives applicants internet access to state government job announcements and allows applicants to apply and take exams online for selected positions. Currently, 25% of all state examinations can be submitted online. Wisc.Jobs also includes the Employee Referral Service, which gives current state employees who are at risk of lay off, or who have been laid off, from their state jobs first access to newly-posted state job openings. The system also allows state agency human resources staff to post job announcements, and it houses all data related to the administration of the hiring process. During FY 2005-2007, DMRS utilized results of usability studies to make the Wisc.Jobs site more user-friendly for public job-seekers. In addition, DMRS used this information to the human resources administration site to increase the overall usability and functionality of the system, particularly on-line examinations. OSER has now created a secure online examination kiosk for the public to take on-demand examinations.
4. The Employment Services Center continues further customer service improvements. These included a call log to identify ways to help customers get information more efficiently, a revised state application with more specific instructions to reduce misdirected applications, and implementation of the Wisc.Jobs Help Desk phone line to assist applicants with their on-line accounts.
5. Division staff continued to provide updated staffing and classification training to agency human resources staff. Another training: "Improve the State of Your Career: Understanding State Employment" (formerly "How to Advance in State Government") was also updated and revised. A new training module was developed to provide ethics training – "Ethics and Leadership in the Workplace". This was delivered to state agency, University of Wisconsin, Wisconsin Technical College employees, and managers and to students in the Wisconsin Certified Public Manager program.
6. The division promulgated revised policies pertaining to the U.S. Department of Labor's new FLSA rules and regulations for white-collar exemptions, and also revised and expanded Wisconsin Human Resources Chapter 246 "Securing Applicant Background Checks" to provide a consistent enterprise-wide process in response to new legislative requirements for certain positions.
7. DMRS also redeveloped the workforce planning toolkit and training for agencies to expand and improve our workforce data collection in anticipation of the 2008-2010 biennial cycle.

8. OSER sponsored the “Centennial Year of Wisconsin’s Civil Service” in 2005, which DMRS coordinated on behalf of the agency. The initiative included a civil service recognition event on June 17, 2005 in the Assembly Chambers at which Governor Doyle recognized over 140 state employees for their tenure and career accomplishments; and publication of “The History of the Wisconsin Civil Service: 1905-2005.”
9. In 2005, DMRS led the development of the Enterprise Leadership Academy in collaboration with the Wisconsin Certified Public Manager (CPM) program. The program was launched in April 2006 with a graduation in the Assembly Chambers in December 2006. This was the first of a series of leadership academies designed to address the need to develop state managers’ leadership, management and global problem-solving skills. The academy concept is in response to Managers as a job group being identified as one of the State’s critical hiring needs as we see more managers retiring. The program launched its second session in May 2007.
10. In October 2007, again in collaboration with the Wisconsin CPM program, a second pilot was launched – the Enterprise Management Development Academy. This academy was designed to develop emerging management skills in newly appointed and high-potential aspiring managers. To have a continuous stream of employees moving into management is critical for the future of state government. Toward that end, this academy is designed to prepare newer employees for these opportunities.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

To improve the responsiveness and flexibility of the Wisconsin merit system, DMRS will:

1. Continue to implement a cross-functional operations model to improve and enhance customer service and enhance staff development.
2. Expand DMRS’ delegation program by training agency staff to ensure that they have the knowledge necessary to support delegation, and ultimately authorizing additional delegation.
3. Publish and revise *Wisconsin Human Resources Handbook* chapters on a continual basis to provide up-to-date policy and procedural instructions related to human resource functions.
4. Provide consultation to agencies to assist in implementing the personnel-related provisions in the 2007-2009 biennial budget.
5. Enhance functionality and usability of the Wisc.Jobs system for HR and public users.
6. Increase usage of Wisc.Jobs by the public and by state agencies by marketing and promoting Wisc.Jobs through cooperative efforts with OSER’s Division of Affirmative Action (DAA), state agencies, and UW campuses.
7. Research and revise testing methods currently used by the State of Wisconsin.
8. Continue to administer exam centers throughout the state efficiently and effectively.
9. Develop on a continual basis Employment Services Center operations to further enhance services for ESC customers.
10. Develop and revise as needed an enterprise recruitment plan in collaboration with DAA.
11. Continue to develop and implement alternative classification structures to simplify the classification system by conducting surveys of selected occupational areas and consolidating classifications when appropriate.

12. Participate in the bargaining unit clarification process by assisting in and performing job/occupational analysis, comparison to standards, and presentation of analysis to the Wisconsin Employment Relations Commission.
13. Review tasks, skills, and knowledge of division staff to identify opportunities for cross-training and increased coordination of resources and methodologies.
14. Continue to review agency determinations of protective occupation status for state employees and provide expert witness testimony in administrative hearings before the Employee Trust Funds Board.
15. Work with state agencies to provide recruitment and retention support to meet the state mandated goals to hire customers of the W-2 program.
16. Train OSER and agency staff:
 - Provide on-site Wisc.Jobs training for online testing to agencies and universities. Update training materials and modules to incorporate changes in functionality that have taken place, including online testing.
 - Provide Staffing Training to agencies and universities
 - Provide Basic and Advanced Classification training for internal and external human resources staff.
 - Provide Code of Ethics training to state agency and university employees.
17. Participate and lead the OSER initiative to implement workforce planning across state government.
18. Participate as human resources subject matter experts for the Integrated Business Information Systems (IBIS) initiative.

WISCONSIN PERSONNEL PARTNERS

(Division of Merit Recruitment and Selection)

A. FUNCTIONS AND STRUCTURE

The Wisconsin Personnel Partners (WPP) program provides non-state governmental units with customized human resource services, which historically have focused on civil service testing and position announcements. WPP has expand its services to other areas such as position description writing, creation of performance evaluations, and training in key human resource areas.

These fee-based services are offered to public sector governmental units. The revenue gained by providing these services funds the WPP program.

B. PERFORMANCE AND OPERATIONS DURING THE 2005 - 2007 BIENNIUM

1. Created behavioral based interview questions for two customers.
2. Provided services to two Wisconsin Tribes.
3. Redesigned web site (<http://www.wpp.wi.gov/>) to provide better branding, ease of navigation, and access to information.
4. Increased customers fees to reflect WPP increased costs.
5. Increased customer base by 22 new customers.
6. The newsletter, *Personnel Quarterly*, went online.
7. Streamlined order status notification process for customers.
8. Increased timeliness of revenue collections through new customer service process.

9. Processed 853 exam orders and 19,719 applicants, as well as published 390 vacancies on Wisc.Jobs during the biennium.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007 - 2009 BIENNIUM

1. Increase customer utilization of new, expanded human resources services.
2. Increase customer base to include tribal governments, federal government located in Wisconsin, third party vendors providing public service on behalf of a local government, and state agencies providing licensure and/or certification to private individuals not related to state employment.
3. Research feasibility of developing an assessment center and video assessment to provide customers with full-service assessment services.
4. Improve products and services, with a focus on examinations, web site usability for customers, and a workforce planning template.
5. Expand legislative and executive level awareness and support of the Partners program through partnerships with DOA's Division of Intergovernmental Affairs and contacts with key legislative partners.

EMPLOYEE TRAINING PROGRAMS

A. FUNCTIONS AND STRUCTURE

The Office of State Employment Relations provides training services to Wisconsin state government agencies through a variety of methods. The OSER training function is staffed by a 0.50 position located within the Division of Compensation & Labor Relations.

1. ***Management Training for New Supervisors.*** This two-part, five-day program provides the statutorily-required training for new state supervisors and managers. A three-day program, Personnel Administration, is taught by OSER staff on topics of civil service personnel administration, including position descriptions, staffing, equal employment opportunity/affirmative action, performance evaluation, employee assistance program, and labor relations. A two-day Leadership program is taught by instructors from the UW-Madison Certified Public Manager program in an arrangement with OSER. Both programs are offered on at least a bimonthly basis to meet demand.
2. ***Advanced Labor Relations (ALR) Program.*** The Advanced Labor Relations (ALR) program is taught by experienced labor relations specialists from the OSER Bureau of Labor Relations. The ALR program is a three-day, advanced, participatory training program for state managers and supervisors presented several times annually in Madison and other regions of the state. It provides managers and supervisors with critical information concerning theories and issues underlying the labor-management relationship in a public sector environment.
3. ***Classification Training Series.*** Division of Merit Recruitment & Selection staff provide training in a 3-day modular series for state agency human resource staff. The program topics include classification overview, reclassification analysis, personnel management

surveys, and appeals. Participants may attend part or all of the three-day program as needed.

4. ***Staffing Training Series.*** Staff of the Division of Merit Recruitment & Selection provide training in a 6-day series of recruitment and selection training modules to meet the diverse needs of agency staff with hiring-related responsibilities. Topics include staffing activities and policies, recruitment and retention, exam development and scoring, and registers and certification. Participants may take the modules as needed, or the entire series.
5. ***Affirmative Action/Equal Employment Opportunity (AA/EEO).*** Division of Affirmative Action staff provides JET (just-*en*-time) training programs upon the request of, and specially designed for, agencies. The programs, tailored to specific agency needs and offered on-site, include AA/EEO laws, regulations, and rules as well as recent information on the status of AA groups in the Wisconsin civil service workforce, along with strategies on promoting AA/EEO and diversity at the agency level. Two recently unveiled JET programs include Reasonable Accommodations, and Prejudice and Its Impact in the Workplace.
6. ***Improve the State of Your Career: Understanding Wisconsin State Employment.*** Formerly entitled “How To Advance in the Wisconsin Civil Service” this half-day training program – taught by staff from the Division of Merit Recruitment & Selection – is designed to give state employees a better understanding of career progression within the civil service system, including promotions, reclassifications and transfers.
7. ***Employee Assistance Program (EAP) Coordinator Training.*** Pursuant to the Governor’s Executive Order 94, OSER coordinates training for agency Employee Assistance Program Coordinators, both for newly appointed coordinators as well as refresher training for more experienced coordinators. Taught by experienced members of the Statewide EAP Advisory Committee, the program provides agency EAP coordinators with the knowledge and skills that will enable them to effectively carry out their functions.

B. PERFORMANCE AND OPERATION DURING 2005-2007 BIENNIUM

OSER has focused its niche as a provider of human resources training on state policies, procedures and programs related to the agency's mission as the state's central personnel agency. OSER offers training programs for new state supervisors; staffing/hiring personnel; affirmative action committee members; employee assistance coordinators; an advanced labor relations program for experienced supervisors; and a program on civil service advancement for any interested state employees.

To help agencies meet the statutory requirement for basic training for newly appointed state supervisors, OSER provides two programs to meet that need for most state agencies. A few large state agencies provide agency-specific programs internally to their new supervisors; however, the majority of state agencies continue to rely on OSER for the necessary training of new supervisors.

Immediately after each session, OSER staff closely review the evaluations received from participants, particularly the comments and suggestions provided in the open-ended questions. Further, a comprehensive review of the numerical evaluation ratings for OSER training programs offered during the 2005-2007 biennium showed that the overall rating per session is very good: the average was approximately 8.8 on a 10-point scale. When comparing specific sections of the evaluation data, the instructors' knowledge is routinely the highest of the ratings.

On September 25, 2006, OSER conducted a web-based survey to assess the training needs of State of Wisconsin supervisors and managers. The purpose of the survey was to gauge interest and collect information that will help in the planning of additional training modules that go beyond the basic training that is currently provided. More than 1,500 supervisors/managers from almost all state agencies and UW campuses participated in the survey. Nearly 84% of those responses indicated they were very interested or moderately interested in advanced supervisory training. We had posed a list of 56 topics; the top ten topics which supervisors/managers indicated they would like training in the next 18 months were:

1. Conflict Management/Conflict Resolution
2. Developing and Training Employees
3. Motivating Employees
4. Coaching & Mentoring Skills
5. Creativity & Innovation in the Workplace
6. Compensation, Broadbanding, Pay Ranges
7. Discipline, progressive and corrective; Just Cause
8. Performance Management
9. Change Management
10. Retirement Program

The complete survey results will be analyzed by OSER, other agencies, the State Training Council, enterprise-level leadership and management academy programs, and other entities to determine what actions can be taken to meet supervisory training needs. A detailed summary of the report is available on the OSER web site at: <http://oser.state.wi.us/docview.asp?docid=6247>

OSER continues its participation and support for the Wisconsin State Training Council, an independent organization of training directors/officers representing all state agencies. Along with other agencies, OSER is represented on several Council subcommittees which planned the first six annual statewide training conferences from 2002 through 2007 and a continuing series of short training seminars for supervisors and general employees. The Council provides OSER and all agencies an opportunity to share training information and, when appropriate, resources across agency lines. OSER supports the Council and hosts the Council's web pages on the OSER site.

The training section of the OSER web site is continually improved and updated; and quality communication with our customers continues to be enhanced by technology. The OSER training registration form is now available at our web site and can be filled electronically with an option to print and send the completed form to OSER via e-mail.

During fiscal year 2005-06, nine (9) training programs were offered on 36 class occasions to a total attendance of 664 participants, for an average of 18.5 participants per class. During fiscal year 2006-07, nine (9) training programs were offered on 33 class occasions to a total attendance

of 645 participants, for an average of 19.5 participants per class. For the 2005-2007 biennium, the total number of participants attending OSER classes was 1,309, the average number of participants per class was 19.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

A. FUNCTIONS AND STRUCTURE

By Executive Order #26, Governor Doyle designated the Office of State Employment Relations to administer the state Employee Assistance Program (EAP). OSER serves as the administrative clearinghouse for the EAP, and provides technical assistance, information and consultation to EAP programs in all departments, independent agencies, the UW-System, constitutional offices and the judicial and legislative branches of government. An OSER EAP coordinator facilitates quarterly EAP Advisory Council meetings.

B. PERFORMANCE AND OPERATIONS DURING 2005-2007 BIENNIUM

Thirteen training sessions were held during the biennium. Employee Assistance Directors from the agencies take turns conducting an informational session on the EAP at the management: personnel administration training conducted by OSER. This training provides new supervisors with an overview of the services offered by the EAP and instructs them on proper referral processes. OSER also conducted one EAP coordinator training session, designed to help agency EAP directors and volunteers understand their EAP role.

Governor Doyle issued proclamations declaring October 2005 and October 2006 as EAP Awareness Month. State agencies held special activities to promote their internal EAP programs. The EAP Advisory Committee held eight meetings during the biennium.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

OSER will work with agency EAP Directors to promote the EAP program and will continue to maintain, improve, and add resources the Employee Assistant Program portion of the OSER website:
http://oser.state.wi.us/section_detail.asp?linkcatid=332&linkid=26&sname=Employee%20Programs.

STATE EMPLOYEE SUGGESTION PROGRAM

A. FUNCTIONS AND STRUCTURE

The Office of State Employment Relations provides staffing to the State Employee Suggestion Board, a three-member body appointed by the Governor. The board reviews employee-initiated suggestions for cost-saving business methods, improvement in efficiency, and better service to

customers and citizens, and determines state-level recognition of employees for their suggestions, including certificates and cash awards. Each state agency has a program coordinator who oversees the agency's internal program, and OSER provides consulting services and resources to the agency coordinators upon request. OSER also maintains the suggestion program web site.

B. PERFORMANCE AND OPERATIONS DURING 2005-2007 BIENNIUM

The State Employee Suggestion Board received, reviewed and awarded 63 employee-initiated suggestions for business process improvements, service enhancements, and cost savings to the state amounting to an estimated annual savings of \$214,000, or \$428,000 over the biennial period. OSER continued to maintain the Wisconsin Employee Suggestion Program web site and provide staffing to the State Employee Suggestion Board.

Eight (8) board meetings or events were held during the biennium, including annual awards ceremonies for both fiscal years, and six (6) regular board meetings. The annual awards ceremony at the State Capitol was held in November 2005 and in November 2006 to honor individual and group suggestions of the year, agency of the year, and agency coordinator of the year for each fiscal year.

OSER continues to provide consulting and promotional services for the program to any interested agencies. The web site (<http://SUGGEST.wi.gov>) was transferred to a new web content management system in 2007 and continues to be maintained with regular updates.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

OSER will support and staff the State Employee Suggestion Board, will work with agency program coordinators to promote increased participation by state employees and will continue to maintain and improve the Employee Suggestion Program web site: <http://SUGGEST.state.wi.us>.

FORMS & NEWSLETTER

A. FUNCTIONS AND STRUCTURE

1. OSER has an agency forms officer as required by statute, along with division forms managers.
2. OSER publishes a semiannual newsletter, *News & Views*, with a target audience of 7,000 state supervisors, managers, and other non-represented employees. Topics focus on the civil service system and other human resources issues in state government.

B. PERFORMANCE AND OPERATIONS DURING THE 2005-2007 BIENNIUM

1. Updated and maintained the 76 OSER forms available in electronic format on the Internet. The majority of the forms available at the web site can now be completed on-screen, then printed and routed according to procedures. A few of the forms now feature submission online via e-mail, when no further processing is required (e.g., further review and/or multiple signatures).
2. During the 2005-2007 biennium, four issues of *OSER News & Views* were published – in October 2005, April 2006, October 2006, and April 2007. Current and past issues of the newsletter are available on the OSER web site.

MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

1. OSER will continue to make forms available at our web site (<http://OSER.state.wi.us>) with features to allow people to fill in the forms electronically, then print and route the completed forms. Maintain and update web forms, and permit online submission via e-mail when consistent with review and approval procedures specific to a form.
2. OSER will continue to publish the *News & Views* newsletter twice a year. It will continue to be made available in electronic format only, on the OSER web site (<http://OSER.state.wi.us>). E-mail notification containing a hyperlink to the current electronic newsletter at the web site will be sent to agencies with a request to forward to all supervisors, managers, and non-represented staff. This will continue to save printing, handling, and postage costs.

LEGAL COUNSEL

A. FUNCTION AND STRUCTURE

The Legal Counsel for the Office of State Employment Relations is responsible for providing legal services to OSER management staff, as well as providing advice to other state agencies on programs and policies administered by OSER, such as the Fair Labor Standards Act (FLSA), Family Medical Leave Act (FMLA), Americans with Disabilities Act, protective occupational status of state employees for retirement purposes, compensation plans for state employees, open records requests involving personnel files, and unfair labor practices.

The Legal Counsel provides three general types of legal services: (1) legal advice and counsel to OSER staff and management concerning policy issues, statutory interpretation, and other legal questions concerning the department; (2) representation of the Office and other state agencies in a variety of administrative hearings and liaison to the Department of Justice (DOJ) on cases concerning the office which have been filed in state or federal court; and (3) legal advice to other state agencies on personnel issues, FLSA, FMLA, and related law and labor law questions.

The Legal Counsel's responsibility for administrative hearings includes representing OSER in classification survey appeals before the Wisconsin Employment Relations Commission (WERC) and employment discrimination cases and whistle-blower cases before the Equal Rights Division (ERD) of the Department of Workforce Development; representing all state agencies in unfair labor practice complaints filed with the WERC; assisting the Division of Compensation and Labor Relations in handling arbitration hearings whenever requested by the Director; and defending OSER determinations of the protective occupational status of employees for retirement program purposes. The Legal Counsel coordinates with DOJ attorneys to answer complaints, interrogatories, and other motions and pleadings, and to provide information necessary to respond to discovery requests, and other court-related proceedings.

B. PERFORMANCE AND OPERATIONS DURING THE 2005-2007 BIENNIUM

OSER completed and implemented the Administrative Support Unit (ASU) Phases II and III personnel management (classification) surveys involving approximately 4,000 state employees in July 2005. These surveys resulted in classification survey appeals, filed with the WERC beginning in June 2006. The Legal Counsel handles all appeals (pre-hearings, motions to dismiss, motions for summary judgment and hearings) involving the Administrative Support Unit, Phase II and III surveys and resulting class changes. The Legal Counsel reviewed drafts of over 358 new classification specifications generated by the surveys implemented in the 2003-05 and 2005-07 biennia, and any broad band classifications, for compliance with applicable legal principles, administrative rules and policies. This review of classification specifications and recommended changes helped reduce the number of informal appeals to OSER (505) and formal appeals to the WERC (less than 75) out of the 4,000 employees involved in the survey.

The Legal Counsel also handled appeals before the WERC of other personnel transactions (reclassifications, reallocations and merit recruitment and selection) as well as several discrimination, whistleblower and/or retaliation claims before the ERD. During the past year, the Legal Counsel worked with the Department of Justice in defending several court actions involving public records litigation before the Dane County Circuit Court and the Wisconsin Court of Appeals. The Legal Counsel also represented OSER and other state agencies in a number of Unfair Labor Practice hearings before Examiners at the WERC and in appeals of Examiner decisions to the WERC.

C. MAJOR PROGRAM GOALS AND OBJECTIVES DURING THE 2007-2009 BIENNIUM

The Legal Counsel will continue to provide timely, complete and accurate legal advice to OSER staff and management, and will assist other state agencies whenever possible, while identifying and anticipating potential legal issues related to Office policies or programs.

FLEXIBLE AND PART-TIME SCHEDULES

Wisconsin Stat. § 230.215 (4) requires every agency to include a section in the biennial report pertaining to policies promoting flexible and part-time work schedules for its employees.

The DOA Employee Handbook, which OSER has adopted, states that “The department encourages the use of AWP (Alternative Work Patterns) such as flex-time, part-time, and job-share schedules to increase productivity, extend services, reduce absenteeism, improve employee morale, allow for employee development, and maximize energy conservation through ridesharing and use of mass transit systems. The department recognizes that AWP schedules may provide opportunities for individuals to productively use their skills, talents, and abilities. It recognizes that a traditional, full-time work schedule may not meet the needs of individuals who, due to age, health, or family circumstances, find such a schedule in conflict with responsibilities outside of work.”

More than half of OSER employees work a schedule that deviates from the standard state office hours (7:45 a.m. to 4:30 p.m.). In addition, several employees are allowed to work a “flex day” schedule under which they work a full 40-hour week, but less than the standard eight hours on one or more “flex” days. Several other employees are permitted to work less than full-time. OSER seeks to accommodate employee requests for discretionary leave time whenever possible. The office fully complies with all requirements of family and medical leave laws. The department believes that accommodating employee scheduling needs has not adversely affected operations and, in fact, has improved employee productivity and expanded the hours during which agency staff are available to our customers.